

## NIGERIA'S STRUGGLE WITH CORRUPTION

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Corrupt African leaders have stolen at least \$140 billion (£95 billion) from their people in the decades since independence.

-- Nigeria's President, Olusegun Obasanjo, at an African civic groups meeting in Addis Ababa, Ethiopia, in June 2002 (*The London Independent*, June 14, 2002. Web posted at [www.independent.co.uk](http://www.independent.co.uk)).

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I would like to thank Chairman Henry Hyde and members of this Committee for giving me the opportunity to present this testimony on corruption in Nigeria. Many African governments do not invite individuals with alternative viewpoints to testify. Freedom of the press and of speech is not tolerated in most African countries. In fact those who do not toe the government's line are simply liquidated. This intellectual barbarism on the part of "educated" African leaders is one of the root causes of the crises in Africa. If killing or detaining people solves problems, Africa ought to be the most highly developed continent. But the tyrants do not realize this.

### **Section A: Introduction**

Corruption is certainly not a social vice unique to Africa alone. It prevails in one form or another in practically all countries, Western and communist alike. However, it has become endemic in Africa. Over the post-colonial period, the African state has evolved into a predatory monster or a gangster state that uses a convoluted system of regulations and controls to pillage and rob the productive class -- the peasantry. It is common knowledge that heads of state, ministers, and highly placed African government officials raid the African treasury, misuse their positions in government to extort commissions on foreign loan contracts, skim foreign aid, inflate contracts to cronies for kickbacks and deposit the loot in overseas banks. The very people who are supposed to defend and protect the peasants' interests are themselves engaged in institutionalized looting.

Dishonesty, thievery, and peculation pervade the public sector in Africa. Public servants embezzle state funds; high-ranking ministers are on the take. The chief bandit is often the head of state himself. As Nigerian journalist, Tony Nze Njoku, noted: "Leadership in Africa, with few exceptions, is seen as an opportunity to get rich rather than serve the people" (*Finance & Development*, June 1998, 56). The extent and magnitude of this scourge is difficult to estimate, owing to its illegality and the painstaking efforts the culprits make to conceal it. However, in August 2004, an African Union report claimed that Africa loses an

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estimated \$148 billion annually to corrupt practices, a figure which represents 25 percent of the continent's Gross Domestic Product (GDP). "Mr. Babatunde Oluogboji, Chairman, Independent Advocacy Project, made this revelation in Lagos while addressing the press on the survey scheduled to be embarked upon by the body to determine the level of corruption in the country even though Transparency International has rated Nigeria as the second most corrupt nation in the world" (*Vanguard*, Lagos, Aug 6, 2004. Web posted at [www.allafrica.com](http://www.allafrica.com)).

At the Commonwealth Summit in Abuja, Nigeria on December 3, 2003, former British secretary of state for international development, Rt. Hon Lynda Chalker, revealed that 40 per cent of wealth created in Africa is invested outside the continent. Chalker said African economies would have fared better if the wealth created on the continent were retained within. "If you can get your kith and kin to bring the funds back and have it invested in infrastructure, the economies of African countries would be much better than what there are today, she said (*This Day* [Lagos], Dec 4, 2003). And the loot is not small change. Speaking to representatives of African civic groups meeting in the Ethiopian capital, Addis Ababa, to prepare the African Union to be launched in South Africa, Nigeria's President, Olusegun Obasanjo, said that "corrupt African leaders have stolen at least \$140 billion (£95 billion) from their people in the decades since independence" (*The London Independent*, June 14, 2002; web posted). But that is small change compared to the \$412 billion Nigerian rulers have stolen.

### **Section B: Nigeria: Looting With Impunity**

Nigeria is a truculent African tragedy. With immense mineral wealth, it was poised to become Africa's answer to South Korea. But kamikaze plunder by military bandits reduced the "giant of Africa" to a comatose midget. The discovery and exploration of oil fields in the early 1970s led to a booming economy. Oil quickly became the dominant sector of the economy, accounting for more than 90 percent of exports and providing the federal government with 80 percent of its revenue. As money flowed into Nigerian government coffers, military dictators went on a spending spree. They frittered away the oil bonanza on extravagant investment projects, a new capital at Abuja with a price tag of \$25 billion, and highly ambitious Third Development Plans, upon the false projections of oil output and revenue. Agriculture was neglected and food imports rose rapidly.

In 1981, oil prices fell precipitously. Export receipts plummeted from \$22 billion in 1980 to \$10 billion in 1983 and then to \$6 billion in 1986. To maintain income and the consumption binge, Nigeria borrowed heavily. Its foreign debts quadrupled from \$9 billion in 1980 to \$36 billion in 1990. Federal and state budgets sank into deficits. These were financed with the accumulation of more debt and the depletion of international reserves. External imbalance caused difficulties with debt servicing and forced the country to go into arrears.

To help improve balance, the Economic Stabilization Act of 1982 was passed. Stringent trade controls, the rationing of foreign exchange, a restriction on import licenses, an increase in duties, and the initiation of an import deposit program were adopted. These measures however failed miserably and an economic crisis emerged in 1983. Growth rates turned sharply negative. The GDP growth rate in 1983 was -6.7 percent; non-oil sector growth fell to -9.3 percent and petroleum sector growth to -2.5 percent. By 1985, the distortions in the economy had reached alarming proportions. The exchange rate was grossly overvalued and the budget deficit out of control. The government resorted to heavy domestic borrowing from the banking system to finance its profligacy.

The supreme irony of Nigeria's economic development is that, despite the flow of substantial oil wealth, the country entered the new millennium with real income per capita of about \$260 today, which is nearly the same as it was at independence in 1960 and saddled with a foreign debt of \$30 billion. About 60 percent of Nigeria's population live on less than a \$1 a day. The drop was more dramatic in the 1980s. In 1980,

income per capita stood at \$1029—the fifth highest in Sub-Saharan Africa. By 1990, it had dropped to a woeful \$266. This sharp decline in economic performance was not due to external economic adversities but to grotesque mismanagement and brazen, unprincipled looting.

Corruption has become so pervasive that navigating the most basic government services, such as getting freight through customs, often requires a bribe in Nigeria. Pay police officers -- many armed with automatic rifles -- set up impromptu roadblocks to shake down motorists. Politicians take bribes and give them, including payments to reporters who can make more money from those they cover than from their meager newspaper paychecks.

Most Nigerians trace the root of corruption to the decades of military governments that ruled Nigeria before Obasanjo's election in 1999. The treasury, flush with money from some of the world's most productive oil fields, became a personal bank account for a succession of generals. The rot oozed down to lawmakers, governors and judges. Civil servants, who in some cases went months or years without receiving their salaries, collected what they could by selling their services.

Between 1970 and the early 2004, more than \$450 billion in oil money flowed into Nigerian government coffers, which simply vanished into private pockets. Nigerians are now asking what happened to the "oil money." The situation deteriorated so rapidly that Nigeria often ranks as the most corrupt nation and the scam capital of the world. According to Chief Eke Urum-Eke, an ex-major of the Biafran war and exiled in New York, "The only two flourishing business in Nigeria today are the business of government and the business of smuggling. Smuggling is not for self-respecting individuals, however lucrative it may be. Therefore the only avenue open for our leaders to maintaining their known lifestyle is the business of government -- pen-based robbery and signature abuse by those inside, and fraudulent contracts for those outside, government. And for them to get any of these fraudulent contracts, state or federal, they must sing Abacha's tune" (*Nigerian Times International*, 16-31 January 1996, 8).

The September 1996 issues of Nigeria's news magazines, *Tell* and *This Week*, screamed about "How [Military] Administrators Plundered the States." Ike Nwosu, the ex-administrator of Abia State, "spent some 16.875 million *naira* (\$214,000) on himself between March 1995 and March 1996" (*African News Weekly*, 28 October - 3 November 1996, 17). Then a 27 September 1994 audit (The Okigbo Report) revealed that a total of \$12.4 billion -- more than a third of Nigeria's foreign debt -- was squandered by its military rulers between 1988 and 1994. Pius Okigbo fled the country after handing in the report.

Indeed, within two weeks the death of General Sani Abacha, local newspapers reported that, his wife, Maryam was seeking "seeking political asylum in a Middle East country thought to be Lebanon," according to the Nigerian Democratic Movement.<sup>1</sup> She was reputed to have inherited "the vast fortunes of her husband estimated at \$5 billion including an oil refinery in Brazil and had contracted a private security outfit to guard the family, whilst she assesses the situation."

Following Abacha's timely and mysterious death in June 1998, elections were held by his successor, General Abdulsalam Abubakar. Upon assuming power on May 29, 1999, President Obasanjo found the country ungovernable. A near government paralysis resulted from wrangling over distribution of power between the executive and the legislative. For 18 months (Feb 1999 to August 2000), Nigeria's 109 senators and 360 representatives passed just five pieces of legislation, including a budget that was held up for five months. Immediately upon taking office, the legislators voted for themselves hefty allowances, including a 5 billion *naira* (\$50 million) furniture allowances for their official residences and offices. The impeached ex-chairman of the Senate from President Obasanjo's own People's Democratic Party (PDP), Chuba Okadigbo, was the most predatory:

"As Senate President, he controlled 24 official vehicles but ordered 8 more at a cost of \$290,000. He was

also found to have spent \$225,000 on garden furniture for his government house, \$340,000 on furniture for the house itself (\$120,000 over the authorized budget); bought without authority a massive electricity generator whose price he had inflated to \$135,000; and accepted a secret payment of \$208,000 from public funds, whose purpose included the purchase of `Christmas gifts'" (*New African*, Sept 2000; p.9).

### Section C: Looters Go Scot-Free

More than \$1.3 billion of Abacha's loot was believed to have been siphoned through London banks; one popular British bank alone was reported to have handled more than \$170 million of funds suspected to have been looted from the Nigerian treasury by Abacha's military regime. The Abacha family and associates area argued that they had an immunity deal from General Abdulsalam Abubakr's transitional regime that briefly ruled Nigeria after Abacha's sudden death on June 8, 1998 before Obasanjo came to power on May 29, 1999. The family and associates said General Abubakr's government had agreed that if they returned "some money" (and they duly returned \$750 million), they would be given immunity from criminal prosecutions. In May 1999, General Abubakr's regime acknowledged that some money had been returned. Since then, more Abacha-associated accounts have been discovered in 19 Western banks, but the Abacha family still insist that the deal with General Abubakr's government must stand. They have subsequently gone to court in Britain to stop the British government from handing over the results of its investigation into the morney to the Nigerian and Swiss authorities" (*New African*, Nov 2001; p.10).

Upon assuming office, President Obasanjo vowed to recover the loot of former head of state, General Abacha. He established the Corruption Practices and Other Related Offences Commission. Much public fanfare was made of the sum of about \$709 million and another £144 million recovered from the Abachas and his henchmen. But, alas, this recovered loot itself was quickly re-looted. The Senate Public Accounts Committee found only \$6.8 million and £2.8 million of the recovered booty in the Central Bank of Nigeria (CBN) (*The Post Express* (July 10, 2000). Uti Akpan, a textiles trader in Lagos was not impressed: "What baffles me is that even the money recovered from Abacha has been stolen. If you recover money from a thief and you go back and steal the money, it means you are worse than the thief" (*The New York Times*, Aug 30, 2000; p.A10).

In May 2000, Jack Blum, a partner of Lobel Norins and Lamont, experts in transparency and corruption, testifying before the US House of Representatives Sub-committee on Domestic and International Monetary Policy, Jack Blum, revealed that "From independence to the present time, past leaders in Nigeria have either stolen or misappropriated state funds estimated at N400 billion (\$40 billion . . . The amount also involved funds received on behalf of the country by key government officials as international assistance, loans from international financial institutions, kick backs to government officials involved in purchasing and special arrangements for currency conversion. The amount includes misappropriated oil revenue emanating from international oil deals between Nigeria and her customers abroad. 'The amounts which were taken were so large that they have become embarrassing and destabilizing. Theft has disrupted the economies of major countries such as Nigeria, Mexico and Indonesia," Blum added (*Post Express*, June 1, 2000; web posted).

According to David Blair of London *Telegraph* (June 25, 2005):

"Nigeria's past rulers stole or misused £220 billion (\$412 billion). That is as much as all the western aid given to Africa in almost four decades. The looting of Africa's most populous country amounted to a sum equivalent to 300 years of British aid for the continent. Former leader Gen Sani Abacha stole between £1bn and £3bn. The figures were compiled by Nigeria's anti-corruption commission.

Nigeria's rulers have already pocketed the equivalent of six Marshall Plans. After that mass theft, two thirds of the country's 130 million people - one in seven of the total African population

- live in abject poverty, a third is illiterate and 40 per cent have no safe water supply. With more people and more natural resources than any other African country, Nigeria is the key to the continent's success."

Mallam Nuhu Ribadu, the chairman of the Economic and Financial Crimes Commission, set up three years ago, said that £220 billion (\$412 billion) was "squandered" between independence from Britain in 1960 and the return of civilian rule in 1999. "We cannot be accurate down to the last figure but that is our projection," Osita Nwajah, a commission spokesman (*Telegraph*, June 25, 2005). The stolen fortune tallies almost exactly with the £220 billion of western aid given to Africa between 1960 and 1997. That amounted to six times the American help given to post-war Europe under the Marshall Plan.

The scourge of corruption was exacerbated by Nigeria's military regimes' hopeless inability to control their own budgetary expenditures. For ten years (1990-2000), there was no audit of public accounts in Nigeria. "The Speaker of the Lagos State House of Assembly, Dr. Olorunnimbe Mamora, revealed that the Lagos government account since 1994 has not been audited" (*P.M. News*, 26 July 1999). The Chairman of the Senate Committee on Public Accounts, Alhaji Idris Abubakar, disclosed in May 2000, that the committee was making inquiries about the \$550 million realized from the sale of the five per cent federal government equity shares in Shell, which from 1993 to 1998 was managed by the Nigerian National Petroleum Company (NNPC). Nobody knew what happened to the sale proceeds, nor were proper accounting made. Abubakar said that "the committee discovered that only photocopies of the accounts of the NNPC for 1993, 1994 and 1995 were submitted to the office of the auditor-general of the federation, while the domestic reports for 1996, 1997 and 1998 had not been submitted. "The accounts of its subsidiaries have also not been forwarded in spite of requests from the office of the auditor-general," he said (*The Guardian*, May 20, 2000; web posted).

Even some Nigerian diplomats were on the take. By January 2003, the Permanent Mission of Nigeria to the United Nations, located at Nigerian House on 802 Second Avenue and 44th Street in New York, had become a nightmare of unpaid bills and constant harassment from landlords, credit card companies, phone companies as well as other utilities. Nigerian diplomats could not be reached by phone because the lines had been cut. Even electricity to the giant building was also disconnected some time ago. According to Nigerian author and publisher, Chika Onyeani,

"Diplomats at the Mission have not been paid for the past five months, while the "locally-recruited-staff" (the staff not sent from Nigeria but recruited domestically) have not been paid for three months. Most of them have exhausted their savings, having to depend on borrowing from friends and relatives, and it is only the depressing job market in America which has forced them to continue to endure the humiliation of constant eviction notices" (*African Sun Times*, January 16-22, 2003; p.1).

Increasingly, Nigeria has fast gained an unenviable reputation for financial mismanagement and scams. In fact, "on January 13, 2003, the IMF warned West African countries against having one currency if Nigeria was to be included. The Fund believes that these countries would lose the value of their respective currencies if Nigeria was allowed to become a member because of high corruption in the country and the specter of financial scam practitioners in the country" (*African Sun Times*, January 16-22, 2003; p.1). The scams have been estimated to have defrauded foreigners of more than \$2.2 billion.

Africa's case for more aid and debt relief has not been helped by President Olusegun Obasanjo of Nigeria, arguably the most mismanaged economy in Africa. As he was pleading for more aid at the World Economic Forum in Davos, Switzerland, in February, four of his state governors were being probed by London police for money laundering. The most galling was the case of Plateau State Governor, Chief Joshua Dariye, accused of diverting N1.1 billion (over \$90 million) into his private bank accounts.

Dragged to the Federal High Court in Kaduna by Economic and Financial Crimes Commission (EFCC), Justice Abdullahi Liman ruled on December 16 that although Dariye was a principal actor in the case, Section 308 of the Nigerian Constitution protected sitting governors from criminal prosecution. Imagine. And would the police apprehend him if he had no such "constitutional immunity"? In February, Nigeria's police chief himself, Inspector General Tafa Balogun, was forced into early retirement after investigators probing money-laundering allegations found \$52 million hidden in a network of 15 bank accounts after being on the job for only two years. He was eventually prosecuted and sentenced to a mere six-month jail term - a slap on the wrist. Lawmakers have mocked attempts by the police to investigate MPs for corruption. Said President Obasanjo: "The fact that Tafa Balogun was removed or asked to resign and the money found in his account seized; the fact that two ministers - one former and one serving - were charged to court over corruption should be applauded. I believe that we are doing well as far as fighting corruption is concerned" (*Daily Independent*, Feb 27, 2005). Well not good enough. Even Nigeria's Senate is riddled with scams and inflated contracts, with proceeds pocketed by sitting senators. Now, it is open looting by state governors with impunity and immunity.

The Governor of oil-rich Nigerian state (Bayelsa State), Chief Diepreye Alamieseigha, was arrested at London Heathrow Airport on Sept 15, for money laundering in Britain. He appeared in a UK court on Sept 18 and charged with laundering £1.8m (\$3.2m) found in cash and in bank accounts. Seven London bank account have been traced to him.

Governor Alamieseigha was said to have been collapsed in court just as he was alleged to have been engaging in directing in direct transfer from government account to individual accounts. According to Nigeria's Sunday Tribune, the genesis of the governor's arrest, was traced to when a woman was arrested in London with \$30 million which she claimed belonged to the Bayelsa State governor. The governor earns less than \$1,000 a month. Sunday Tribune also gathered that Alamieyeseigha, on hearing of the arrest of his top aides, put a call through to a top Presidency chief whom he accused of witch-hunting him.

He was believed to be on his way to Nigeria en route London after undergoing medical checkup in Germany before he was apprehended for alleged money laundering. Reports said that the Metropolitan police seized his passport, ostensibly to restrict him to Britain because of his court trial. He was granted bail, while the case against him was adjourned till November 15. He was originally arrested on 15 September as he passed through Heathrow Airport in London. Detectives found almost £1m in cash in his west London home. The governor claims he is innocent and enjoys diplomatic immunity.

Nigeria's Economic and Financial Crimes Commission (EFCC), has overwhelming evidence on most of the alleged corrupt government officials -- especially state governors -- even as the Commission's chairman, Mallam Nuhu Ribadu, said the recent case involving the governor of Bayelsa State, Diepreye Alamieyeseigha, was just a tip of the iceberg. In fact, an allegation of corruption has been leveled against President Olusegun Obasanjo himself by the governor of Abia State, Orji Uzor Kalu.

Many Nigerians scoff at Obasanjo's anti-corruption campaign as an elaborate form of public relations to win concessions from lenders and burnish the president's reputation as a world leader. Critics note that only now, six years after Obasanjo first won office promising to crack down on corruption, are any major figures being brought to justice, and few have gone to jail. One such figure, General Ibrahim Babangida, an ex-military dictator, thumbs his nose at his people by even refusing to testify before the anti-corruption commission. When caught, punishment amounts to a mere sacking.

When the nation's education minister, Fabian Osuji, was caught giving \$400,000 to Nigerian lawmakers for favorable votes, he formally protested that such behavior was "common knowledge and practice at all levels of government." Besides, Osuji added, he had struck a good deal; the lawmakers had asked for

twice as much. He was fired from the government. Besides Osuji, a succession of senior government figures -- including the top police official, the housing minister and the Senate president -- also have been pushed from their jobs in recent months and threatened with jail for offenses that once would have earned them little more than a wink. But political opponents contend that the president's election victories in 1999 and 2003 were so brazenly rigged that he lacks the moral authority to attack corruption.

Efforts to stem corruption began making headlines in August 2003 when Nasir Ahmad el-Rufa'i, who had just been named to a ministerial post overseeing the capital region, announced that two senators had asked him for bribes to facilitate his confirmation (*The Washington Post*, May 1, 2005; p.A18). El-Rufa'i estimated that at least three out of every four lawmakers are corrupt, as are more than half of the nation's governors and many of its civil servants. "If a few more ministers go to jail, if a few more members of the National Assembly go to jail, believe me, people will line up and do the right thing" el-Rufa'i said (*The Washington Post*, May 1, 2005; p.A18).

#### **Section D: The Deleterious Effects of Corruption**

Albeit unscientific, the above represents an effort to catalogue the brazen and outlandish plunder of Nigeria's resources that could have been devoted to development. The worst part of all this is that the thieving elites do not invest the booty in their own country, to build factories and railroads -- as did America's "robber barons" in the nineteenth century. Rather, Nigeria's kleptocrats spent the booty lavishly on mistresses, luxurious automobiles, fabulous mansions -- on consumption, not productive ventures. The rest of the loot was spirited out of the country into foreign bank accounts to develop the already advanced countries -- a double whammy.

Bribery, embezzlement and theft -- sometimes on a grand scale -- divert enormous resources from public coffers into private hands. Unchecked, it eventually blossoms into a "culture of corruption." Nigeria is a typical case where corruption has mushroomed and spilled over on to the international scene with various "advance fee" frauds and scams. This pattern of looting has become so deeply ingrained that it is difficult to eradicate.

#### **Inefficiency**

Corruption has several deleterious effects on economic development. First, it breeds inefficiency and waste. Contractors and suppliers fail to deliver because they have bribed some official. Who you are and how big a kickback you offer matters more than how well or efficiently you perform a job. As a result, contracts are inflated and some kick backs paid to some conniving official. Work done is shoddy: Roads are poorly constructed and wash away at the first drop of rain. Telephones refuse to work, postal service is non-existent and the entire communication system is in shambles, costing the country billions in lost output.

Infrastructure has crumbled in Nigeria because contractors failed to perform. The educational system has sharply deteriorated. Roads are pot-holed. Hospitals lack basic supplies because they have been stolen or diverted, and patients are often asked to bring their own bandages and blankets. State institutions decay and break-down. Nobody cares because tenure of office and promotions are based not on competence and merit but on personal loyalty to the president, ethnicity, and sycophancy. Institutions such as the civil service, the judiciary, parliament, and the police disintegrate and fail to function since they have all been perverted.

The rot is not confined to one area but seeps into all areas of government. Parliament becomes a joke -- a rubber-stamp. The police, the military and the civil service -- all are hopeless. Even though the state soaks up scarce resources (through heavy taxation), it fails to fulfill its role in facilitating economic growth or deliver essential services. "Nigeria has many fine lawyers, but the judiciary is tainted by trials settled with

bribes. It has fine academics, but universities are tarnished by the trade in diplomas. It has respected chiefs, but the nobility has been mocked by the sale of chieftaincy titles. In many ways, the institution which has suffered the most under this military regime is the military itself. 'Military men are not soldiers anymore' is a common Nigerian observation (*The Economist*, 21 August 1993; Survey, 6). Nigerian cities have fire departments, but often there is no equipment. When a three-story apartment building and a bakery were destroyed by fire in Umuahia "one volunteer, Mr. Timothy Nwachukwu, said that the fire service did not help because they had no working vehicles" (*African News Weekly*, 24 February 1994, 12).

Institutional break-down and the failure to provide the most basic essential services creates an environment inimical to development. The cost of doing business in such an environment increases enormously. Simple, routine applications takes weeks to be approved. Security of persons and property can seldom be guaranteed. Increasing production becomes chancy, given intermittent disruptions in the supply of electricity and water.

### **Soaring Government Deficits**

Second, corruption aggravates the budget deficit problem. Expenditure figures are padded. Ghost workers proliferate on government payrolls. "An audit task force appointed by the Nigerian Government said on 1 November 1996 that it had discovered 28,000 'ghost workers' on the state payroll . . . "The 'ghost workers' are either fake, retired or dead persons whose names remain on the payroll for fraudulent officials to claim their wages" (*African News Weekly*, 11-17 November 1996, 17). Revenue collectors are notoriously corrupt, pocketing part of tax proceeds, waiving taxes if they receive large enough bribes.

### **Deters Foreign Investment**

Third, corruption drives away foreign investors: "Government contracts in Nigeria, say international businessmen, are among the most expensive in the world 'mainly because of excessive margins built into such contracts for personal interests.' Those personal interests can be seen attending expensive schools in Britain, or parked outside plush government villas: a Maserati or Lamborghini is quite normal for an army chief" (*The Economist*, 21 August 1993; Survey, 5).

Africa has remained a wilderness to foreign investors for a variety of reasons: weak currencies (except notably in extractive industries, where output is priced in dollars), exchange controls, a feeble local private sector, poor infrastructure, small domestic markets, stifling bureaucracy, political instability, uncertain legal system, and corruption. Despite fanciful ads, elaborate investment codes, and guarantees of profit repatriation, Africa "attracts less than 5 percent of the direct investment going to the developing countries, an estimated \$2.5 billion or so in 1994" (*The Economist*, 12 August 1995 11). In 1995 when a record \$231 billion in foreign investment flowed into the Third World, Africa's share fell to a miserly 2.4 percent.

Crumbling infrastructure, chronic instability and corruption have deterred foreign investors. Even French investors are shying away from Africa. According to *The African Observer* (April 4-17, 1995), "Africa's share of French overseas investment dwindled from \$500 million in 1983 to \$170 million in 1992, Jean-Pierre Ranchon [vice president of the Council of French Investors in Africa] said. Asia's grew from \$4 million to \$600 million over the same period (22). But why should foreign investors be excoriated when Africa's kleptocrats do not invest their own wealth in their own countries? Asked Herman Cohen, former U.S. Assistant Secretary of State for African Affairs in 1991: "Over the last 10 years, Africans themselves have exported \$20 billion a year into bank accounts in Europe [and the U.S.] buying real estate. So if Africans don't have confidence in their own continent, why should the rest of the world?" (*Africa Insider*, July 1994; p.4).

### **Economic Contraction and Collapse**

Fourth, corruption leads to economic contraction and collapse. Corruption and capital flight, which flourish under non-democratic systems, seriously stunt economic development. At an April 2000 press conference in London, U.N. Secretary-General Kofi Annan lamented that: "Billions of dollars of public funds continue to be stashed away by some African leaders – even while roads are crumbling, health systems have failed, schoolchildren have neither books nor desks nor teachers, and phones do not work" (*The African-American Observer*, April 25-May 1, 2000; p.10). While corruption and capital flight exist under all political systems, their incidence tends to be more pervasive when rulers are not held democratically accountable.

Africa's experience shows that a corrupt government is incapable of efficient economic management and eliciting the sacrifices necessary for the development effort. A corrupt African government cannot attract foreign investment or spur domestic investment. Like the colonial state, the predatory African state is also extractive. Under colonialism, Africa's resources and wealth were plundered for the development of metropolitan European countries. Today the tiny, parasitic ruling elites use their governing authority to exploit and extract resources from the productive members of the society. These resources are then spent lavishly by the elites on themselves or siphoned out of Africa. As Robinson (1971) asked plaintively: "What incentive does the peasant have to produce more when through taxation the surplus is siphoned off to be spent in conspicuous consumption?" (43).

### **Popular Rebellion and Social Upheaval**

By far, however, the most serious has been the severe damage rampant corruption has wrought on the international reputation of Nigeria and the self-image of its people. The name "Nigeria" itself is now synonymous with scam or fraud.

Over the years, Nigeria's governments have steadily lost credibility with the people. People became alienated and no longer trusted their government. They saw the state, not as a "partner in development" but as enemies to be evaded, cheated and defeated. In the Niger Delta, are in open rebellion against the government.

Nigeria's oil wealth is produced in the Niger delta, which has been the scene of increasingly violent rebellion. Nigeria's state oil company, working with partners that include Shell, Chevron, Mobil, Amoco and Texaco, produces 2.4 million barrels of oil – worth \$30 million to \$40 million – each day. But for years, most of that river of cash has flowed to military governments that have broken promises to spend fixed percentages of it to bring electricity, clean water, village clinics, and schools to the oil belt. The regime of General Sani Abacha, for example, promised to return 13 percent of Nigeria's oil proceeds to develop the oil communities but the funds were siphoned off by corrupt officials. "If we would honestly put even 3 percent of the oil revenues into these communities, it would make a big difference", said Frank Efeduma, a Shell oil spokesman in Warri, Nigeria (*The Washington Post*, Nov 9, 1998; p. A18). In the 1990s, the Ogonis, Nembe, Ijaws and other ethnic groups escalated protest to violence, often seizing oil facilities and oil company workers.

The entire delta area with 6 million people, consisting of 20 tribes, has been devastated. As *The Washington Post* (Nov 9, 1998) put it: "The curse of natural wealth has fallen heavily around the Niger River delta, Africa's most lucrative oil field. Nearly 40 years of oil production, directed mostly by military governments, has left the delta peoples poorer, sicker, less nourished and less educated than the rest of the country. Oil spills have damaged fishing grounds and farmland" (p. A18). For instance, in Nembe, home to several thousand people on the edge of Nigeria's largest oil field, there is no electricity, clean water, or roads or other basic amenities. Gas is burned there, causing environmental pollution. Nor does the area have a major oil refinery. In a policy that defies economic sense, oil is piped from the delta area hundreds of miles to the

north, where it is refined to provide employment and industrial activity to the Hausa-Fulani, who have monopolized political power since Nigeria's independence in 1960.

Hardest hit in the Niger delta are the Ogoni, who number 500,000 and sit on top of billions of dollars of oil reserves. But "we get no benefit from it, absolutely none", complained Chief Edward Kobani, a senior elder of the Ogoni. Their homeland is an environmental mess. Gas — a by-product of the oil industry for which there is no use — is burned 24 hours a day, producing acid rain and toxic pollution. Air and water quality has suffered, and crops damaged. The health toll is enormous: There are high levels of skin rashes, allergies, abscesses and infections. Ken Saro-Wiwa started the Movement for the Survival of the Ogoni People (MOSOP), demanded \$10 billion for environmental damage and royalties from the federal government and Royal Dutch/Shell, and threatened to secede the area from Nigeria. The group wrote an Ogoni national anthem, designed a national flag, and printed a national currency. Frightened of another Biafra, the military government attacked Ogoni villages. In May 1995 Saro-Wiwa was arrested; he and eight others were hanged on November 10, 1995 despite a chorus of international pleas for clemency. But the Ogoni have not given up their fight; nor have others in the Delta region.

The delta youths demand not just equity from the state but also in the redistribution of income from their oil. A first attempt at secession was led by Isaac Adaka Boro, who called for a Niger Delta Republic in 1965. The rebellion was short-lived and faded into history, but the anger in the delta was reignited with Saro-Wiwa's MOSOP. The Abacha military regime, as well as western oil companies, felt threatened. Despite Saro-Wiwa's hanging and the militarization of the entire Ogoniland, the groups were not deterred.

On October 4, 1998, militant Ijaws seized oil facilities throughout their land. At the Batan station, they ordered the pumping station's crew to shut it down and leave. "We are like mad dogs", said Augustine Egbane, an Ijaw leader (*The Washington Post*, Nov 11, 1998; p. A28). The oil field at Batan was producing 26,000 barrels — worth \$380,000 — a day but little money went back to the village. In the 35 years that Shell operated the Batan field, oil spills have spoiled the village's traditional livelihood of fishing. Further, villagers must paddle for three hours to find clean water. The village has no clinic and no real school, only an unequipped classroom that villagers built themselves. In 1993, a government development agency strung electrical lines in the village but never connected them to the outside (*The Washington Post*, 11 November 1998; p. A28).

On December 11, 1998, 5,000 Ijaws signed a declaration in Kaiama — Adaka Boro's birthplace — and asserted ownership of all resources in their swamps and creeks, and served notice to oil companies operating in the area. In addition, they formed the Niger Delta Volunteer Force, modelled after Boro's army, and vowed to go to war.

Since the Kaiama declaration, the Abdusallam Abubakr military regime, which succeeded Abacha's, promised to raise the revenue to resource-producing states from 3 percent to 13 percent and give N15.3 million (\$184,000) in development funding. The promises, however, were not fulfilled. According to *The Washington Post* (November 9, 1998),

"The deep poverty of the delta — alongside the luxurious homes and lives of the military rulers, their political allies and the U.S. and European oil firms who are their partners — has left people desperate, frustrated and bitter. Bitter enough that, in recent years, youths have formed militias, stolen guns, seized oil facilities and made war on their ethnic rivals" (p. A18).

Groups in the 9 oil-producing states of Nigeria's 36-state federation have for years demanded that they should receive more money than the rest of the country from the oil sales, since Nigeria earns around 90 percent of its 10 billion-dollar foreign currency earnings from oil and gas sales. The impoverished oil-producing areas charge that they only see a tiny percentage of that money ever spent in their regions.

On October 7, 1998, angry youths opposed to Nigeria's government took control of 9 Shell oil pumping stations, blocking the daily flow of about 250,000 barrels of petroleum. The facilities were seized in several areas by groups of demonstrators charging that "government election preparations are unfair", according to Shell Nigeria Managing Director Ron Van Den Berg. Two of the company's helicopters and an oil rig were seized by the angry mobs. According to *The Washington Post*:

Registration for the 1999 presidential vote began with youth groups in the oil-rich Niger River delta region using the occasion to protest what they say is their exclusion from the political process. Communities in Nigeria's southern states say their interests are not represented in federal politics, which is dominated by northerners. Although rich in oil, the Niger River delta states are among the poorest and most neglected in Nigeria (Oct 9, 1998; p. A38).

Since the election of President Obasanjo, the militancy has grown more violent and sophisticated. Since December 2005, militants have launched a series of ferocious attacks on Nigeria's oil industry, sending crude oil prices sky-rocketing on the world market. Nigeria is the world's eighth largest exporter of oil, producing 2.4 million barrels a day. Nigeria is also the fifth-largest oil exporter to the United States, after Mexico, Venezuela, Canada and Saudi Arabia. Nearly half of Nigeria's oil exports go to the United States.

Since December 2005, incidents in the Western part of the delta have regularly shut down about 10 percent of the country's oil production. Four foreign workers were abducted in January by the Movement for the Emancipation of the Niger Delta (MEND) and were held for three weeks before being released. The attacks have escalated with such ferocity that there is much concern about Nigeria holding together as a country. On Feb 18, 2006, MEND launched a string of attacks on the country's oil industry, abducting nine foreign workers, bombing a major tanker loading platform and sabotaging two pipelines. These forced Royal Dutch Shell to suspend exports from the 380,000-barrel-a-day Forcados tanker terminal, and shut down the 115,000-barrel-a-day EA oilfield as a precaution. The Forcados loading platform, which is located about 20 kilometers offshore, was set on fire while a pipeline was blown up. [The nine foreign contractors who were kidnapped -- three Americans, two Egyptians, two Thais, one Briton and one Filipino national working for Willbros Group of Houston -- were working on a pipe-laying barge. They were released on March 27 without harm.] As a result of these attacks, Nigeria's oil production was cut by 455,000 barrels a day out of a total of about 2.4 million barrels, or by about 20 percent. The effect was to push up crude oil prices sharply: Brent crude oil for April delivery jumped \$1.57 a barrel, to \$61.46, on London's ICE Futures exchange." "We would expect the potential for further chaos in Nigeria to provide a floor for prices above \$60, and we expect that Nigeria will continue to be a major issue in terms of supply security," Kevin Norrish, an analyst at Barclays Capital in London, wrote in a note to investors" (*The New York Times*, Feb 25, 2006).

MEND said the attacks were a response to military air raids in Delta State and would be followed by another wave of violence "on a grander scale." The militants are determined to cut Nigeria's oil production by 30 percent and have warned all foreign workers to leave the delta immediately. The militants want more local control over the Niger Delta's vast oil wealth and the release of two ethnic Ijaw leaders, including a militia leader who is on trial for treason.

The ferocity and frequency of the recent attacks have alarmed observers. First, they threaten to destabilize the global oil supplies, spiking up prices. More unsettling, the attacks breed their own perverse incentive for more attacks. The militants derive their funds from "bunkering" - the practice of siphoning off oil from pipelines for sale on the black market. Attacks, which partially shut down oil supplies to the world market, raise oil prices, yielding greater revenue from "bunkered oil" to finance purchase of arms for more attacks. Second, the attack are exacerbating political tensions and the climate,

which had already deteriorated due a misguided bid by supporters of President Obasanjo for a constitutional amendment to permit a third term. Fortunately, the Senate on May 15 shot down that bid.

Although the attacks have been directed primarily at Royal Dutch Shell, the oldest and largest oil producer in Nigeria, their real target is the government, said Sebastian Spio-Garbrah, an analyst at the Eurasia group, a private research firm (*The New York Times*, Feb 25, 2006). "They are trying to hurt the government, not really the oil companies," Mr. Spio-Garbrah said. Efforts to defeat militant groups militarily have floundered, enabling them to carry out several audacious attacks on oil facilities. "The government says the group pays for its weapons by stealing oil, but several government officials, including two admirals of the Nigerian Navy, have been charged with stealing oil as well" (*The New York Times*, Feb 25, 2006).

The Obasanjo regime, though far better than the string of military gangster regimes it succeeded, has been scandalously incompetent and hopelessly ineffective in tackling the myriad of social ills confronting Nigerians. Provision of basic social services – clean water, reliable electricity, etc. – remains sporadic and anemic. And since President Obasanjo took office in 1999, ethnic and religious fighting, land disputes and conflicts between communities have driven more than 3 million Nigerians from their homes, according to the National Commission for Refugees, which also said the problem of internal displacement in Nigeria, Africa's most populous nation, was worsening and appeared to be a permanent feature of society.

The commission said the problem of displaced people stemmed from three decades of military rule that caused deep but repressed anger within society. The return to civilian rule in 1999 allowed frustrations to surface and erupt into conflict. At least 14,000 Nigerians have died in ethnic, religious or communal fighting since 1999, according to conservative estimates of human rights groups. In the most recent outbreak, religious riots in February, 2006 in Maiduguri, in the north, killed up to 50 people, mostly Christians, and left many more homeless. Those killings sparked reprisal murders of Muslims in Onitsha, in the south, where thousands fled their homes, seeking refuge in army barracks or leaving the area altogether. Many disputes that lead to displacement begin over land or political control of local areas and later take on an ethnic or religious dimension, the commission said (*The New York Times*, March 14, 2006).

### **Section E: Fighting Corruption Effectively**

What breeds corruption, bribery, and other types of malfeasance in modern Africa generally are the system of pervasive state controls and regulations; concentration of economic and political power in the hands of the state or a few individuals, the institution of undemocratic systems of governance that lack accountability, the muzzling of the press to expose corruption, the perversion of the judicial system, banishing the rule of law; and an elite culture that tolerates high levels of corruption. Obviously it would be futile to rail against corruption and still keep in place the very system which breeds it.

The Byzantine maze of state controls and regulations provide the ruling elites with rich opportunities for self-aggrandizement. Revenue collection, passport control, and even government stationery can all be diverted, manipulated or used for illicit gain. Civil servants demand bribes, exploit their positions in government, and manipulate the state's regulatory powers to supplement their meager salaries. Almost every government regulation and nuance of policy can be "exploited" for private gain.

Corruption has become the canker of the African body politic: malignant and pervasive. It has been nurtured by the system of state controls and an elite grab mentality. It has remained an intractable problem because the prevailing intellectual environment characterized by brutal repression, censorship and state control of the media, does not permit an exposure of the problem. This is aggravated by the absence of rule

of law. The crooks are seldom caught and the law can hardly be enforced when the chief culprit is often the head of state himself.

In the post-colonial period, corrupt Nigerian governments have combated corruption half-heartedly and cynically with various ad hoc measures, such as probes and anti-corruption commissions. Most Nigerians collapsed into hysterical laughter when they heard their head of state, General Sani Abacha, ("The Butcher of Abuja") had launched "a war on corruption," because they knew "several of his cronies, active or retired, are millionaires and no military men involved in the banking scandal [that cost the country \$180 million] have been touched. 'When the soldiers have eaten enough, he retires them,' said a civil-rights lawyer." (*The Economist*, June 8, 1996, 48). Recall that from 1988 to 1994, Nigeria's military rulers squandered \$12.4 billion in oil revenue, estimated by the September 1994 Pius Okigbo Commission to be a third of the nation's foreign debt. A Petroleum Trust Fund set up by former head of state, General Ibrahim Babangida "lost" \$600 million. No one was prosecuted. In fact, for an entire decade – 1990 to 2000 – not one single high government official was indicted and punished for corruption. Since corrupt governments hardly reform themselves, the pressure must come from outside the state – from civil society.

To fight corruption effectively requires taking the following steps:

1. Exposing the problem, which is the business of the media, and
2. Appointing an aggressive Attorney-General,
3. Punishing the corrupt for all to see that crime does not pay. No exceptions to the rule of law.

The first step has been stymied by the fact that the media in much is controlled by the state. Only 8 African countries have a free media. The state uses the media to control the flow of information and to conceal corruption and wrong-doing. When intrepid journalists expose them, they are brutally assaulted by security forces – or worse.

On Feb 22, 1998, armed soldiers invaded the Ondo State television station, ransacked the editorial offices and took away the evening bulletins which included accounts of the assault two days earlier on the station's media managers, Dunning Fagbajiyi and Tunde Yusuff. Five days later, unidentified gunmen killed Tunde Oladepo, a senior editor of *The Guardian*, after breaking into his Ogun State home. "He was shot to death in front of his wife and children. The murderers stayed in the house for 30 minutes after shooting him to make sure the journalist was dead" (*Index on Censorship*, May/June 1998, 116).

Attacks on the media continued, even under the "democratic" regime of President Olusegun Obasanjo. On April 4, 2000, nine armed members of the dreaded State Security Service (SSS) invaded *This Day* newspaper offices in Abuja, claiming they were looking for "subversive and incriminating documents" (*Africa New Service*, April 14, 2000). Earlier on Jan 19, 2000, 50 police raided the international press center in Lagos with guns drawn, demanding computer files and arresting journalists on suspected charges of terrorism (*Africa New Service*, April 14, 2000). A compendium of these attacks can be found in the Appendix A. Obviously, control of the media must be wrestled out of the hands of the state if the fight against corruption is to succeed.

Second, an aggressive Attorney-General or anti-corruption czar should be appointed and given the powers of prosecution. Such an Attorney-General or czar must be protected by the President himself or, failing that, by western donors. Third, combating corruption will require reforming the judicial system. Only an independent judiciary can establish the rule of law and prosecute corrupt government officials. As we have seen, state governors loot with impunity because the corrupt are seldom punished.

Further measures can be taken as well in the fight against corruption.

- The pervasive array of state controls which breed corruption and malpractices must be removed. It entails the removal of controls on prices, exchange rates, imports, exports, rents, and others. These controls did not exist in Africa's own indigenous economic system in the first place. Such measures would liberalize the economy, by taking economic power out of the hands of the state and giving it back to the people where it rightly belongs. Incidentally, this is partly what Structural Adjustment Programs are intended to do.
- An independent central bank is also vital, as can be discerned from the following quote:

"Swiss judicial authorities have opened an inquiry into alleged money laundering and participation in a criminal organization involving Nigeria's late leader Sani Abacha and his entourage. Abacha, his eldest son Muhammed Sani Abacha, his widow Mariam and brother Abdulkadir, are among those accused by Nigeria's elected government of having "systematically plundered" the country's central bank, a Swiss statement said earlier in October, 1999. A Geneva lawyer representing the Nigerian Government alleges Abacha and his entourage diverted \$2.2 billion from the Central Bank alone" (*The Washington Post*, Oct 27, 1999; p.A25).

I would recommend rotating governors of central banks in a region, say West Africa; which would help enhance the "independence" of the central bank. Further, to help combat corruption effectively, it might be best to appoint a non-national (a Westerner or African) to head the anti-corruption units. For example, a Ghanaian may be appointed in Nigeria and a Nigerian in Kenya. The reason is that quite often non-national Africans do perform well when pulled out of their socio-cultural environment since they are not burdened by a myriad of social obligations. A Ghanaian is not Yoruba or Igbo and therefore cannot be expected to grant special tribal favors to a corrupt Yoruba politician.

- Lessons must be drawn from anti-corruption efforts in other African countries. African governments set up anti-corruption commissions with no teeth to prosecute the corrupt. And when they snoop too close, they are shut down. Such was the case of Richard Leakey, appointed by Kenya's ex-president Daniel arap Moi in July 1999 to head the civil service in an effort to eradicate corruption. But when he pried too close, he was sacked six months later. The next anti-corruption czar, John Githongo, appointed in 2001 by the new president, Mwai Kibaki, did not fare better. When he fingered thieving ministers, threats were made on his life and he fled to Britain in 2005.

The rare case of success in the fight against corruption comes from South Africa. There President Thabo Mbeki swung into action and established "The Scorpions," South Africa's elite anti-corruption unit, which had pursued "bigger fish" – senior members of the ruling party, the African National Congress (ANC). The Scorpions went after Jacob Zuma, the deputy president and the most likely successor to President Mbeki, who was "accused of (and denies) asking for 500,000 rand (or \$68,000) from a foreign arms company, Thales, to protect it from a probe into alleged kickbacks" (*The Economist*, Aug 2, 2003; p.45). Other senior government officials also felt the sting of The Scorpions: Tony Yengeni, chief whip of the African National Congress was jailed in 2003 as was Winnie Madikizela-Mandela, former wife of Nelson Mandela. The conviction of Yengeni centered on his purchase of a luxury sport utility vehicle that was sold to him at a steep discount by a defense contractor. The contractor, European Aeronautic Defense and Space Co., eventually won a contract to build radar systems as part of a \$6 billion package of weapons purchases made by the government in 2001 (*The Washington Post*, Oct 4, 2001;p.A26).

Mrs. Madikizela-Mandela, the president of the ANC's Women's League and member of Parliament, was convicted of defrauding a bank of more than \$103,000. She was still a member of parliament when she was jailed. She was involved in a scheme in which a codefendant obtained personal loans for fictitious Women's League employees by using her name and letterhead to support the fraudulent loan applications. Mrs. Madikizela-Mandela publicly denied the bank fraud charges. In an interview with the *City Press* newspaper, "she acknowledged financial problems, but said the investigation was inspired by

her rivals within the A.N.C. She had been one of Mr. Mbeki's most vocal critics, assailing him for questioning whether H.I.V. causes AIDS and condemning the government for promoting conservative economic policies that she says neglect the poor. "One can safely conclude that the campaign is being waged within my organization," Mrs. Madikizela-Mandela said (*The New York Times*, Oct 18, 2001; p.A5).

The Scorpions report an impressive conviction rate of 85 percent and enjoy huge popular support. And the secret of their success? According to *The Economist* (Aug 2, 2003),

Cases of graft are known about largely because the police, newspapers and political parties are *free* to unearth them. The national prosecuting authority now has over 3,500 staff and fast-rising budget worth 950 million rand (or \$129 million) in 2003. In July 2003, Mr. Mbeki authorized a probe into 285 cases of fraud in the department of justice and the courts and police are broadly free of political meddling. The president says of his deputy's troubles that the 'law must run its course'" (p.45).

Again, it is worth recounting the ingredient of this successful campaign: freedom to unearth cases of corruption (exposure), prosecuting the corrupt for all to see and providing funds and staff to the prosecuting authority. These ingredients are woefully lacking in Nigeria. If Nigerian leaders want to be popular with their people, they should establish "The Scorpions" or "Black Mambas" in the country.

#### Section F: What the U.S. Can Do to Help

It would be wrong to leave you with the impression that corruption alone is the major scourge afflicting Nigeria. In the grips of a constitutional crisis, torn by sectarianism, North-South divide over claims to the presidency, religious and ethnic rivalries and communal violence, the country teeters on the brink of disintegration. These broader issues are best handled in a "**sovereign national conference.**" This political vehicle was successfully used by Benin in 1991 and South Africa in 1994 (the Convention for a Democratic South Africa - CODESA) to chart a new democratic political dispensation for their respective countries. President Obasanjo indeed convene such a confab - the National Political Reform Conference. But, as it turned out, it was a scam. The Nigeria Labor Congress (NLC) declared it a "failed conference" because it had a pre-determined agenda and therefore, was not "sovereign" (*The Vanguard*, July 14, 2005).

To help Nigeria in its efforts to tackle its problems, the U.S. government could do any of the following:

1. Help tighten international regulations against money-laundering, especially in developing countries in Asia, which now seem to be the destination point of looted funds.
2. Help persuade the Nigerian government to place a certain percentage of oil revenues into an offshore escrow account, to be managed by an independent body for the benefit of the people in the Niger Delta.
3. Gently goad, not the President but the Nigerian Senate to convene a sovereign national conference. The Senate has shown some streak of independence in voting against the Constitutional amendment that would have allowed President Obasanjo to seek a third term.

I believe with patience and political will, Nigeria can be saved.

Thank you.

## APPENDIX A: Attacks on the Press

### 2004 World Press Freedom Review

Personal attacks and detention of journalists were rampant throughout the country in 2004: The following is a compendium of brutal attacks:

- On 12 January SSS officers interrogated Tony Eluemunor, Abuja bureau chief for the Daily Independent newspaper after an 8 January story regarding links between the presidency and an alleged plot to oust Anambra State Governor Chris Ngige. Eluemunor was initially refused access to his legal counsel and was pressured for several hours to reveal his source for the article. He refused to do so.
- On 21 January nine journalists were suspended for providing coverage of an aborted strike over increases in petroleum products prices. The Nigeria Labor Congress had planned the strike. The journalists, all of whom worked for the state-owned Ondo State Radiovision Corporation (OSRC) in southwestern Nigeria were given suspension letters that accused them of "dereliction of duty." The letters were signed by OSRC board chairman Clement Adebambo on the orders of the State Governor Olusegun Agagu who was reportedly outraged by the reports. The decision of the management to suspend the journalists for covering a news worthy and relevant story exemplified an unsettling willingness to be influenced by political forces.
- A correspondent for the African Independent Television (AIT) station, Joseph Nafoh, was assaulted on 27 March by a group of men allegedly acting on orders from Boniface Kobani, a councillorship candidate for the People's Democratic Party (PDP) in southern Nigeria. While trying to capture incidents of multiple voting and electoral fraud on film, Nafoh was attacked and his camera was taken before police officers at the polling centre. The police did not attempt to arrest the attackers. Nafoh's camera was returned to the AIT office on 29 March by State Commissioner for Information Magnus Abbey, but his tape had been removed.
- On 25 June, a group of policemen in Osun State, southwestern Nigeria, beat Gbenga Faturoti of the Daily Independent newspaper almost to the point of unconsciousness. O. C. Agboromoti, an assistant superintendent of police at the Osun State parliament ordered officers to attack the journalist. Faturoti was beaten because he had not turned off his mobile phone while reporting at the House of Assembly. After being slapped in the face, manhandled and dragged from the building he was arrested and detained for several hours.
- Kola Oyelere, a correspondent for the privately owned *Nigerian Tribune* in Kano State, northwestern Nigeria was arrested by police on 4 July and charged with publishing false information after the publication of a story entitled "Panic in Kano? As Fresh Crisis Looms." Before he was arrested, he was declared, "wanted" by the police and charged under six sections of the penal code. Oyelere said that while in police custody he was repeatedly beaten and tortured and was refused access to his medication for typhoid fever. On 8 July, he was released by Kano police and the charges against him dropped.
- On 9 July, two journalists, Lawson Heyford of *The Source* and Okafor Ofiebor of *The News* were arrested and detained for their alleged association with Pastor Joe Alatoru, who had accused two senior police officers of taking bribes from him. Police officers from the Rivers State Security Agency's Special Operations Squad (SOS) arrested the three individuals and told them they would face trial for trying to frame two police officers. The journalists were detained for over 18 hours before the charges against them were dropped. While little explanation was offered as to why the journalists had been detained in the first place, the Media Foundation for West Africa condemned the arrest as an example of the abuse of power that police authorities use whenever a news report threatens them in any way.
- The assistant commissioner of police, H. C. Ugwu allegedly ordered the assault of *The Sun* newspaper correspondent Uja Emmanuel on 21 July while Emmanuel was investigating the

abduction of journalist Johnson Babajide. The incident took place in Makrudi, the capital of Benue state in north central Nigeria. Babajide, a correspondent for the Nigerian Tribune was said to have been taken by police early in the day and was alleged to have been severely beaten by a group of men hired by the People's Democratic Party (PDP). Ugwu confronted Emmanuel while he was at police headquarters inquiring about Babjide. The officer accused him of publishing criticism of the way police were handling a conflict in nearby Kwande. Ugwu reportedly ordered his officers to seize Emmanuel's camera and tape recorder and to beat him in front of other reporters.

Babajide was released that day and reporters waiting outside police headquarters said that he was soaked in his own blood and weeping as he recounted his story of having been dragged out of his house earlier that morning by the governor's chief press secretary Tahav Agerzua and his group of 20 thugs. He was allegedly tortured and told by the governor's special advisor on security that police were acting on orders from the Benue state governor.

- In one of several raids perpetrated by the State Security Service (SSS) officers, the editorial offices of *The Insider Weekly* news magazine in Lagos were attacked on 4 September. Officers smashed the doors in and vandalized the office, seizing several documents. While inside, they arrested production manager Raphael Olatoye. They later visited the printers' office and seized all copies of the magazines' most recent edition. Before leaving the editorial offices they chained and locked the doors. Later that day the SSS published a statement saying that they had "stormed" the magazine because it had been "consistently attacking, disparaging and humiliating the person and the office of the President and the Commander-in-Chief."

The next day the officers returned to confiscate files, computers and other equipment. Editor-in-chief Osa Director, fled his home on 6 September after reports that the SSS were looking for him. Despite the harassment, no official charges were laid against the paper.

Later that week the *Global Star* weekly newspaper in Lagos became the subject of an SSS attack. On 8 September SSS forces raided the newspapers office, and in the absence of editorial consultant Isaac Umunna, arrested his wife Hope Umunna and other staff members. Officers seized computers and other documents and continued to raid the paper's printing press and to arrest the press's principal officers.

The arrested staff members were detained until later that day. On 9 September, Isaac Umunna reported to the SSS office and was arrested and detained. For several days he was denied visits from his wife or lawyer and was refused permission to see a doctor when he developed diarrhoea. On 15 September, he was taken on a 10 hour journey to SSS national headquarters in Abuja and was questioned overnight. He was released the next day and escorted to his home in Lagos.

- *Weekly Star* correspondent Owei Sikpi was assaulted by SSS operatives in the River State capital of Port Harcourt on 25 October. The attack followed a 30 September story in which Sikpi wrote about Steven Diver, chairman of the Southern Ijaw Local Government Area in Bayelsa State, accusing him of illegally and recklessly spending state money. A group of men, who identified themselves as SSS officers forced Sikpi into a house where they beat him severely, stripped him and then photographed him. They threatened to publish the photos if he wrote about Diver again. Prior to the attack Sikpi received a threatening letter from Diver's legal counsel.
- As the wave of politically motivated violence continued in 2004, two public radio stations in the southeastern state of Anambra were vandalized and torched on 10 November. The conflict began when supporters of State Governor Chris Ngige interrupted a meeting of supporters of local politician Chris Uba. Fighting ensued between the two groups and later that night over 100 pro-Uba supporters stormed public radio stations in two separate communities and attacked staff members. They tied up and beat the staff before setting fire to the studios. Similar incidents of violence plagued the country as citizens were directed to aggressively support opposing political leaders.

On the same day, at the Federal High Court building in Ikeja, Lagos, Diran Oshe, photographer

for the daily Vanguard was attacked and beaten by military intelligence agents acting as bodyguards for Major Hamza Al-Mustapha. Oshe was trying to take a picture of the Major who was on trial for involvement in the murder of The Guardian editor Alex Ibru, when agents beat him with the butts of their rifles and smashed his camera.

Although intimidation of the press through violent means was rampant throughout the country, forces also harassed journalists through diplomatic means. Silvia Sansoni, a journalist with *The Economist* was expelled from Nigeria on 19 February after being accused of "abusing her accreditation." Later in the year, Stephan Faris, a reporter with U.S. based *Time* magazine was prevented from entering the country when he arrived at Murtala Muhammad airport in Lagos on 27 November. He was later expelled without explanation. In a continued display of contempt for the foreign press, several foreign radio broadcasts were banned throughout the year.

One of the more disturbing aspects of the blatant harassment targeted at journalists is that perpetrators act with impunity and are rarely punished for their violent actions. As most attacks are carried out by police or security forces to avenge perceived criticism or to uphold directives given to them by state authorities, there are no measures in place to prevent the further escalation of violence. For his part, President Obasanjo seems unwilling to promote a regime that creates a safer and more tolerant environment for journalists.

Source: <http://www.freemedia.at/wpfr/Africa/nigeria.htm>

<sup>i</sup> This information was posted on the internet on 23 Jun 1998 by the organization: ndmorg@cldc.howard.edu.